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LEGISLATIVE COUNCIL

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Authority: IC 2-5-1.1

MEETING MINUTES¹

Meeting Date: November 21, 2005
Meeting Time: 1:30 pm
Meeting Place: State House, 200 W. Washington St., Room 404
Meeting City: Indianapolis, Indiana
Meeting Number: 3

Members Present: Rep. Brian Bosma, Chairman; Sen. Robert Garton, Vice-Chairman; Rep. Dale Grubb; Rep. Kathy Richardson; Rep. William Friend; Rep. Eric Turner; Rep. Tim Brown; Rep. Russell Stilwell; Sen. James Lewis; Sen. Richard D. Young; Sen. Patricia Miller; Sen. James Merritt.

Members Absent: Sen. Thomas Wyss; Sen. David Long; Sen. Earline Rogers; Rep. B. Patrick Bauer.

Senator Garton, Chairman, called the meeting to order at 1:45 pm. He welcomed the members and asked Mr. Philip Sachtleben, Executive Director of the Legislative Services Agency (LSA), to discuss the proposed new personnel rules for the LSA.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Mr. Sachtleben noted that the proposed personnel rules had previously been distributed to the members of the Legislative Council. He noted that the rules had not been amended for nearly 10 years. He then described the changes being proposed in each chapter of the proposed rules.

Mr. Sachtleben highlighted the following provisions:

- (1) The rules would add several definitions for the first time. These included “document which was expanded to include all electronic documents, including spreadsheets and data bases created or maintained by the LSA.
- (2) Changes in chapter 3 include extension to electronic documents, changes to manner in which legislators are notified about fiscal notes discussed outside the agency, and removal of obsolete references to the Sunset process.
- (3) Chapter 7 specifies treatment of weather emergencies.
- (4) Chapter 8 restates the eligibility for overtime pay by limiting it to employees listed in Clerk III positions.
- (5) References to maternity leave deleted in favor of adopting the Federal Family Medical Leave Act (FMLA).
- (6) References to military leave deleted in favor of adopting the Federal Uniformed Services Employment and Reemployment Rights Act (USERRA).
- (7) Remove requirement of two weeks notice to employees who are dismissed.
- (8) Provide that all new employees are automatically on probation for their first year of service.
- (9) Change required number and timing of evaluations.
- (10) Codify the Personnel Subcommittee’s previously granted permission to grant bonuses to employees involved in printing and publication of documents.

In response to questions, Mr. Sachtleben noted the following:

- (1) Unpaid outside legal assistance, and a review of NCSL’s relevant publications, were utilized in the preparation of the new rules (Rep. Bosma)
- (2) The LSA did not currently have any employee performing active military duty, but wanted to bring the personnel rules up to the level required under Federal law. (Rep. Grubb)

Rep. Richardson moved, and Senator Merritt seconded, a motion to adopt LCR 05-06 to replace the personnel rules of the LSA. The motion was adopted by consent.

Senator Garton raised a matter of other business concerning a request by Rep. Buck to permit the State House Museum Committee to meet after the November 1 deadline for

interim committee meetings. A motion granting this permission, so long as any expenses were claimed from the House and Senate, and so long as the LSA would not staff the meeting, was adopted by consent.

Senator Miller discussed the next item on the agenda concerning her committee's review of state agency compliance with statutory reporting requirements. Mr. Sachtleben discussed the history of the manner in which agency reports have historically been treated by the General Assembly. Effective July 1, 2003, the General Assembly has adopted legislation that mandates all state agencies to submit all reports electronically. The LSA has completed a study that found that only about 1/3 of the reports were received on time. In addition, about 46% of the reports had not yet been submitted. (No action taken.)

After a brief discussion, Senator Garton moved to the next order of business which was to receive a verbal report from Rep. Ruppel about the activities of the State Fair Advisory Committee. (No action taken.)

The final item on the agenda included a report by Mr. Sachtleben about the pricing used by the LSA for session documents and other items sold by the LSA. The Council agreed that no action to change the pricing policies was necessary at this time.

Senator Merritt asked Mr. Sachtleben to discuss proposals to use space assigned to the LSA under the rotunda for a gift shop. Mr. Sachtleben explained what the LSA has been using the space for, and offered to sell some "gift shop" type items (e.g. pens, flags, postcards) in the Legislative Information Center that is located directly off the rotunda. (No action taken.)

Senator Garton noted that this would be the final meeting of the interim, and that Rep. Bosma would pursuant to statute become Chair of the Council on January 1.

The meeting was adjourned at 2:45 pm.